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15 AMAZON.COM, INC., a Delaware  
corporation, and AMAZON DIGITAL  
SERVICES, INC., a Delaware corporation

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA

20 APPLE INC., a California corporation,

21 Plaintiff,

22 v.

23 AMAZON.COM, INC., a Delaware  
corporation, and AMAZON DIGITAL  
24 SERVICES, INC., a Delaware corporation,

25 Defendants.

26 No. 11-cv-01327 PJH

27 Action Filed: March 18, 2011

28 STIPULATION AND [PROPOSED]  
ORDER MODIFYING PRETRIAL  
DEADLINES

Pursuant to Civil Local Rule 6-2, the parties hereby jointly stipulate and request that the Court modify the pretrial schedule as set forth herein. These limited modifications are sought in the interest of judicial economy. The modifications preserve the final response dates of contested pretrial motions and will not shorten the Court's time for ruling on such submissions. The modifications do not alter the dates of the final pretrial conference or trial.

Motions pursuant to *Daubert v. Merrill Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), shall be filed no later than July 5, 2013, and noticed for the date of the final pretrial conference. Oppositions to such motions shall be filed no later than July 11, 2013. No replies shall be filed.

Counsel shall meet and confer regarding preparation of the joint pretrial statement on or before July 1, 2013.

The joint pretrial statement, trial briefs, motions *in limine*, and other pretrial submissions listed in Section B.3 of the Court's Pretrial Instructions shall be filed no later than July 8, 2013.

Any oppositions to motions *in limine* and any counter deposition designations shall be filed no later than July 11, 2013. No replies shall be filed.

DATED: June 25, 2013.

DAVID R. EBERHART  
DAVID J. SEPANIK  
O'MELVENY & MYERS LLP

By: /s/ David R. Eberhart  
DAVID R. EBERHART

DATED: June 25, 2013.

Attorneys for Plaintiff  
APPLE INC.

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By: /s/ Martin R. Glick  
MARTIN R. GLICK

Attorneys for Defendants AMAZON.COM, INC., a Delaware corporation, and AMAZON DIGITAL SERVICES, INC., a Delaware corporation

## ATTESTATION OF FILER

I, Martin R. Glick, am the ECF user whose identification and password are being used to file this STIPULATION REGARDING SUBSTITUTION OF EXPERT. In compliance with Local Rule 5-1(i)(3), I hereby attest that David E. Eberhart concurs in this filing.

By: /s/ Martin R. Glick  
MARTIN R. GLICK

[PROPOSED] ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED: June 26, 2013.

The Honorable  
United States Court Judge  
  
Judge Phyllis J. Hamilton



STIP. & [PROPOSED] ORDER MODIFYING PRETRIAL DEADLINES

11 1327 PJH